

# Staff Summary Report



Council Meeting Date: 5/31/2012

Agenda Item Number: 5C2

**SUBJECT:** Introduction and first public hearing to adopt an ordinance for an Amended Planned Area Development Overlay for VILLAS AT SOUTHBANK, located at 1122 East Vista Del Lago Drive. The second public hearing is scheduled for June 14, 2012.

**DOCUMENT NAME:** 20120531cdri01 PLANNED DEVELOPMENT (0406) ORDINANCE NO. 2012.23

**COMMENTS:** Request for VILLAS AT SOUTH BANK (PL120046) (SOUTHBANK ASU LLC, property owner; MDT Development Partners LLC, applicant) consisting of 262 units within a 17-story senior living facility (including assisted living and memory care components) and a 2-story commercial building, totaling 367,896 sf. of building area on 2.23 net acres, located at 1122 East Vista Del Lago Drive in the MU-4 (PAD), Mixed-Use High Density District with a Planned Area Development Overlay and within the Rio Salado Overlay District. The request includes the following:

PAD12002 (Ordinance No. 2012.23) – An Amended Planned Area Development Overlay to establish development standards of 118 dwelling units per acre; a maximum building height of 211'-0"; reduce the required vehicle parking from 458 to 187 spaces, and reduce the required bicycle parking from 182 to 53 spaces.

**PREPARED BY:** Ryan Levesque, Senior Planner (480-858-2393)

**REVIEWED BY:** Lisa Collins, Interim Community Development Director (480-350-8989)

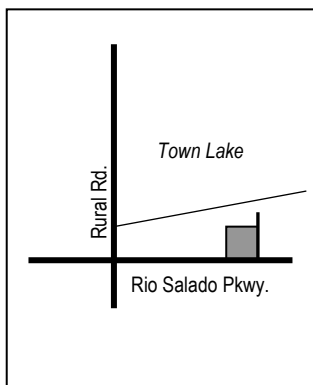
**LEGAL REVIEW BY:** Teresa Voss, Assistant City Attorney (480-350-8814)

**DEPARTMENT REVIEW BY:** Lisa Collins, Interim Community Development Director (480-350-8989)

**FISCAL NOTE:** While this ordinance change does not directly impact revenue, the planned development will result in collection of the standard development fees, calculated according to the approved fee structure at the time of permit issuance.

**RECOMMENDATION:** Staff – Approval, subject to conditions  
Development Review Commission – Approval (7-0 vote)

**ADDITIONAL INFO:**



Gross/Net site area	2.226 acres
Total Building area	367,896 sf.
Total Dwelling Units	262 units (118 du/ac)
Lot Coverage	43% (No Standard set)
Building Height	211'-0" ft (No Standard set)
Building Setbacks	9' front, 25' south street side, 1' west side, 15'-8" north side, 20' east side (No Standard set)
Landscape area	16% (No Standard set)
Vehicle Parking	187 spaces (458 minimum required)
Bicycle Parking	53 spaces (182 minimum required)

A neighborhood meeting is not required with this application.

**PAGES:**

1. List of Attachments
- 2-5. Comments
5. Conclusion / Conditions of Approval
6. History & Facts / Zoning & Development Code Reference

**ATTACHMENTS:**

1. Ordinance No. 2012.23
- 2-3. Waiver of Rights and Remedies form
4. Location Map
5. Aerial Photo
- 6-8. Letter of Explanation/Justification
- 9-22. Parking Analysis
- 23-25. Building/Site Perspectives
- 26-27. Planned Area Development Overlay
28. Site Plan
- 29-35. Floor Plans
- 36-43. Building Elevations
44. Material/Color Sample Board
45. Building Sections
- 46-48. Hardscape Plan and materials
- 49-53. Landscape Plan and materials
54. Preliminary Grading & Drainage Plan
55. Solar Study

**COMMENTS:**

This site is located just east of Rural Road at the northeast corner of Rio Salado Parkway and Vista Del Lago Drive. The property is directly adjacent to the Tempe Town Lake to the north and neighbored by the ASU Karsten Golf Course to the south. All other surrounding properties are currently vacant.

In 2007, the “Pier 202” (now named South Bank) project proposed a master plan development consisting of nine (9) new buildings ranging from 187 to 310 feet in height for commercial space, a 285 room hotel and 1,484 residential units, all on 27 acres. The developer processed a Planned Area Development Overlay that established development standards for five (5) of the nine (9) total lots. Lot 3, consisting of this request, was excluded from the initial phase of development.

The Villas at South Bank consists of the following:

1. Amended Planned Area Development Overlay
2. Use Permit to allow tandem parking
3. Development Plan Review which includes: a 17-story senior living facility (with independent care, assisted living and memory care components), two levels of underground parking and a 2-story commercial building, all totaling 367,896 sf. in building area.

**PUBLIC INPUT**

A neighborhood meeting is not required for this request. The site is more than 300 feet from the nearest residential use.

Staff received an inquiry from the Phoenix Aviation Department regarding review of the 17-story project related to Phoenix Sky Harbor’s engine out procedures. Phoenix staff has reported no apparent impact to aviation aircraft at this time. This project will be required to file for Federal Aviation Administration’s Hazard Determination for tall buildings. Staff has also received commentary and feedback from the City of Tempe Disabilities Commission member, Ed Mitchell, regarding the project’s accessibility to units, throughout the project and management of the facility. Mr. Mitchell spoke in favor of the project and the developer’s response to his inquiries at the Development Review Commission hearing.

**PROJECT ANALYSIS**

The Villas at South Bank provides a unique mixed-use development consisting senior housing residential with essential commercial and restaurant services for the residents. The high-rise project, first of its kind in Arizona, will provide senior housing with memory care units (1<sup>st</sup> floor level), assisted living units (floors 2-5), and the majority with independent living units (floors 6-17). The first proposed development plan of the nine lots at South Bank (formerly Pier 202), Villas brings to life the master plan vision of a high rise project with unique forms of architecture, capturing scenic views and access along the Tempe Town Lake.

**Site Plan**

The Villas is accessible by a subterranean garage with two levels of underground parking. The project also incorporates a drop-off turn around designed to address the unique shuttle and shipping services. The lower level garage elevation is designated as a valet-managed parking area within a secured parking location. Along with the primary use of senior housing and its on-site amenities, the project also provides space proposed for a bank, dry cleaners and within a separate two-story building, an open-to-the-public restaurant and spa facility.

**Building Elevations**

The elevations provide a variety of natural feel of color stone and aggregates at the pedestrian level, and a modern blend of metal building materials in the vertical structure.

**Landscape Plan**

The proposed landscape plans, consistent with the original streetscape plan, will have a dedicated landscape strip with street trees along the curb edge, and within the drop-off area, along the inside edge providing a separation. The landscape palette as proposed is compatible with the Sonoran desert environment and provides a good mix of lower-water use plants that accentuate the hardscape elements of the plaza and private courtyards. Along the south side of the building is a proposed dog run area, which will have synthetic turf. This material is acceptable at this location as it is not a main feature visible from the street and is intended for private use for the residents.

## PLANNED AREA DEVELOPMENT

Along with a designation of mixed-use zoning, applicants are required to process a Planned Area Development Overlay (PAD) to establish the desired standards not currently defined within the MU-4 district. Below is a list of district standards proposed and the other South Bank lots approved development standards for this PAD.

South Bank – Planned Area Development Overlay								
Standards	Lot:	Proposed 3	1	9	6	5	4	Total
Lot Acreage		2.23	3.10	3.60	3.34	2.78	1.20	16.43
Residential Density (# of dwelling units)		262	105	384	302	-	79	1,129
Building Height [Exceptions, see Section 4-205(A)]								
Building Height Maximum		211 ft.	187 ft.	310 ft.	292 ft.	252 ft.	234 ft.	
Maximum Lot Coverage (% of net site area)		43%	72%	69%	70%	61%	43%	
Minimum Landscape Area (% of net site area)		16%	28%	31%	29%	39%	55%	
Setbacks (feet) [Exceptions, see Section 4-205(B)]								
Front Parking		9 ft. 20 ft.						
Street Side (South) Parking		25 ft. 20 ft.	31 ft.	50 ft.	22 ft.	20 ft.	23 ft.	
Side (west)		1 ft.	15 ft.	26 ft.	5 ft.	30 ft.	44 ft.	
Side (east)		9 ft.	31 ft.	16 ft.	90 ft.	18 ft.	23 ft.	
Side (north)		16 ft.	31 ft.	23 ft.	31 ft.	34 ft.	22 ft.	
Vehicle Parking								
Required:		458	1,000	915	647	806	138	4,064
Parking per Analysis:		120	1,082	891	652	433	146	3,391
Provided:		(187)						
Bicycle Parking								
Required:		182						
Parking per Analysis:		35	-	-	-	-	-	
Provided:		(53)						

The proposed PAD for Lot 3 – The Villas, requests a maximum density of 118 dwelling units per acre, or a total of 262 units for a senior housing facility. This density is consistent with the overall PAD and projected density for this development area. The units provided are broken down into the following categories:

Elder Care (Memory Care): 24 units (beds)  
 Elder Care (Assisted Living): 65 units (1 bed units)  
 Multi-Family (Independent Living):  
     Studio 25 units  
     1 Bedroom 75 units  
     2 Bedroom 69 units  
     Guest Unit (1 bedroom) 4 units

The Villas requests a maximum building height of 211 ft. This height will accommodate the 17-story senior housing facility as well as unique architectural features on the building. The actual proposed height of the building roof at this time is approximately 189 feet above level 1 finished floor. The difference in the maximum building height accommodates the Zoning and Development Code's height measurement requirement from grade at the midpoint top of sidewalk elevation, additional height for architectural features, and any additional appurtenances that may be required at construction. The proposed height is consistent with the previously

approved range of building heights approved for the overall PAD (ranging from 187 ft. – 310 ft.)

The proposed building setbacks are primarily dictated by the existing easements for public utilities, sidewalk easements for public access, and a proposed fire access lane along the eastern property line.

### City of Tempe Required Parking Standards

USE	Vehicle Parking Minimums	Vehicle Ratios	Total	Minimum Parking Spaces Required	Bike Ratios	Minimum Bike Spaces Required
Nursing Home/Elder Care (Memory Care)	0.5	Per Beds	24	12.00	0.05	1.20
Nursing Home/Elder Care (Assisted Living)	0.5	Per Beds	65	32.50	0.05	3.25
Studio Bedroom (Independent Living)	1	Per Unit	25	25.00	0.75	18.75
Residential Multi-Family 1 Bedroom (Independent Living)	1.5	Per Unit	75	112.50	0.75	56.25
Residential Multi-Family 2 Bedrooms (Independent Living)	2	Per Unit	69	138.00	0.75	51.75
Guest units (1 bedroom)	1.5	per Unit	4	6.00	0.75	3.00
Guest Parking (All General Multi-Family units)	0.2	Per Unit	173	34.60	0.20	34.60
Financial Institution	1	300	1,400	4.67	1500	0.93
Indoor Retail (dry cleaners)	1	300	700	2.33	7500	0.09
Service (Spa)	1	300	3,000	10.00	7500	0.40
Indoor Restaurant (includes main restaurant and bagel shop)	1	75	5,180	69.07	500	10.36
Outside Restaurant (includes outside portion of main restaurant)*	1	150	2,000	11.33	2000	1.00
			<b>Total</b>	<b>458</b>		<b>182</b>

\*no parking first 300 square feet

### Proposed Parking Standards for Villas at Southbank

USE	Vehicle Parking Minimums	Vehicle Ratios	Total	Minimum Parking Spaces Required	Bike Ratios	Minimum Bike Spaces Required
Nursing Home/Elder Care (Memory Care)	0.17	Per Beds	24	4.08	0.05	1.20
Nursing Home/Elder Care (Assisted Living)	0.17	Per Beds	65	11.05	0.05	3.25
Studio Bedroom (Independent Living)	0.24	Per Unit	25	6.00	0.05	1.25
Residential Multi-Family 1 Bedroom (Independent Living)	0.24	Per Unit	75	18.00	0.05	3.75
Residential Multi-Family 2 Bedrooms (Independent Living)	0.24	Per Unit	69	16.56	0.05	3.45
Guest units (1 bedroom)	0.24	per Unit	4	0.96	0.05	0.20
Guest Parking (All General Multi-Family units)	0	Per Unit	173	0.00	0.00	0.00
Financial Institution	1	700	1,400	2.00	1500	0.93
Indoor Retail (dry cleaners)	1	700	700	1.00	7500	0.09
Service (Spa)	1	500	3,000	6.00	7500	0.40
Indoor Restaurant (includes main restaurant and bagel shop)	1	137	6,150	44.89	500	12.30
Indoor Restaurant (includes donut/bagel shop)	1	137	1,030	7.52	500	2.06
Outside Restaurant (includes outside portion of main restaurant)*	1	NS	2,000	0.00	0	0.00
			<b>Total</b>	<b>118</b>		<b>29</b>

\*no parking first 300 square feet

The above parking charts provide a breakdown of the minimum required vehicle and bicycle parking requirements within the Zoning and Development Code and the proposed parking standards based on the professional parking analysis provided by the applicant. The proposed study recommends the minimum vehicle parking from 458 to 118 spaces (187 spaces provided) and the minimum bicycle parking from 182 to 29 spaces (53 dedicated spaces provided). This analysis took into consideration that the base ratios for parking requirements determine a set minimum amount of parking for an individual land use for a maximum peak expected demand. The Traffic Engineer utilized nationally accepted guidelines from the Institute of Transportation Engineers (ITE), *Parking Generation 4<sup>th</sup> Edition, 2010* and the American Planning Association (APA) *Parking Standards, 2002*. Then a shared parking ratio reduction was applied and analyzed the peak demand for each use. The results of the study determined that a surplus of parking would be provided with 187 vehicle parking spaces.

The project proposes 75 tandem parking spaces located on second below grade level. The tandem parking, including other standard parking spaces located on the second floor, are intended to be managed by a valet system (126 total parking spaces on B2), with drop-off available in the first level parking garage. This area is proposed to be gated for access control and is primarily intended for residents and their guests. The tandem parking design can function properly as long as there is a 24-hour management service to

assist in accessing resident vehicles or for other visitors.

The project has also incorporated general storage space for tenants of the building. This area has been determined to also accommodate the storage of bicycles, if necessary. Therefore, additional area will be available for required bicycle parking; staff recommends a condition of approval for a minimum of 125 spaces.

Section 6-305 D. Approval criteria for P.A.D.:

1. The proposed land uses are permitted in Part 3.
2. The development standards listed above, as established as part of the PAD Overlay District, as well as the standards allowed by use permit in Part 4 will be conformed to for development of this site.
3. The proposed PAD is in conformance with provisions in Part 5, Overlay Districts. The site is located with the Rio Salado Overlay and will conform to the levee setback requirements.
4. The conditions of approval are reasonable to ensure conformance with the provisions of the Zoning Code.

**Conclusion**

Based on the information provided and the above analysis, staff recommends approval of the requested Planned Area Development Overlay, Use Permit for tandem parking, and Development Plan Review. The PAD was specifically design to allow greater flexibility for increased building heights, density and modified parking standards. The tandem parking, through a valet managed system, will accommodate resident and visitor parking access. The design of the building provides a diverse continuity through shared building materials for the commercial and high rise tower and unique architectural elements. This request meets the required criteria, subject to conformance with the proposed conditions.

**PAD12002**

**CONDITIONS OF APPROVAL:**

EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

**General**

1. A building permit application shall be made on or before June 14, 2014, or the zoning of the property may revert to that in place at the time of application. Any reversion is subject to a public hearing process as a zoning map amendment.
2. The property owner(s) shall sign a waiver of rights and remedies form. By signing the form, the Owner(s) voluntarily waive(s) any right to claim compensation for diminution of Property value under A.R.S. §12-1134 that may now or in the future exist, as a result of the City's approval of this Application, including any conditions, stipulations and/or modifications imposed as a condition of approval. The signed form shall be submitted to the Community Development Department no later than July 13, 2012, or the Planned Area Development Overlay approval shall be null and void.
3. The Planned Area Development Overlay shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe's Community Development Department prior to issuance of building permits.
4. The maximum building height shall include all mechanical, screening devices and other structures on the building.
5. Prior to receiving a full building permit, submit to the Federal Aviation Administration (FAA) a notice of proposed construction or alteration (Form 7460-1) and the determination letter to the Community Development Department.
6. The development shall provide a minimum of 125 bicycle parking spaces, including a minimum 30 spaces at grade level for public use, and the remaining within a designated storage space and/or lockers.

**HISTORY & FACTS:**

September 10, 1998	City Council approved the request for CIUDAD DEL LAGO-RIO EAST for a Final Planned Area Development consisting of the Peabody Hotel, located at 1200 East Rio Salado Parkway.
May 17, 2007	City Council approved the request of an Amended Planned Area Development Overlay for PIER 202 (PL060548) consisting of nine (9) new buildings up to 310 feet in height for commercial, 285 room hotel and 1,484 residential units on +/-27.4 acres, located at 1200 East Rio Salado Parkway, in the MU-4, Mixed-Use High Density District.
August 14, 2007	Development Review Commission approved a Preliminary Subdivision Plat and a Development Plan Review consisting of a landscape plan for street frontage, requested by PIER 202 located at 1200 East Rio Salado Parkway.
April 24, 2012	At the Development Review Commission study session, the applicant for the Villas at South Bank provided an overview presentation of the project.
May 8, 2012	Development Review Commission approved a Use Permit to allow tandem parking and a Development Plan Review, and recommended approval of an Amended Planned Area Development Overlay for VILLAS AT SOUTH BANK (PL120046) consisting of 262 units within a 17-story senior living facility and a 2-story commercial building, totaling 367,896 sf. in building area on 2.23 net acres, located at 1122 East Vista Del Lago Drive. (7-0 vote)
May 31, 2012	Scheduled introduction and first public hearing with City Council for this request.
June 14, 2012	Scheduled second and final public hearing with City Council for this request.

**ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 5-104, Rio Salado Overlay District – Additional Information and Regulations  
Section 6-305, Planned Area Development (PAD) Overlay districts